IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

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THURSDAY, THE ELEVENTH DAY OF AUGUST

TWO THOUSAND AND FIVE

P R E S E N T

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.17206 OF 2005

Between:

L.Basava Raju … Petitioner

Versus

The Revenue Divisional Officer,

Adoni, Kurnool district & Ors. … Respondents

O R D E R :

This writ petition is filed questioning the proceedings CC.No.2364/ETC/PKD/75, dated 17-4-2005 issued by the first respondent in so far as it relates to directing the petitioner to surrender an extent of Acs:39-32 of land as arbitrary, illegal, unconstitutional and malafide, violating Article 14 and 21 of the Constitution of India and set aside the same and issue consequential directions, restraining the respondents from recovering Acs:39-32 of land from the petitioner in pursuance of the above impugned proceedings and further direct the official respondents to recover the excess land from the petitioner's family as per the order of the Land Reforms Tribunal in CC.No.2364 to 2371/PKD/75 dated 28-8-2004 after calling for the objections and issuing notice and opportunity of hearing the petitioner in recovering equally from the petitioner as well as the fourth and fifth respondent in the interest of justice.

When the writ petition came up for admission, the learned Government Pleader for Revenue submitted that pursuant to the notice dated 17-4-2005 in

CC.No.2364/ETC/PKD/75, which is impugned in this writ petition, the concerned authorities have taken over possession of the land on 25-4-2005 and against this action of the respondents LRA.No.2 of 2005 was preferred and the same is posted on 10-8-2005. Therefore, suppressing the above facts, the present writ petition is filed, which is liable to be dismissed in limini.

After hearing the learned counsel for the petitioner as well as the learned Govt.Pleader for Revenue, it appears that the petitioner has not approached the court with clean hands and I am not able to appreciate the contentions raised by the learned counsel for the petitioner. The writ petition is devoid of merit and liable to be dismissed with costs.

In view of the submissions made by the learned Govt.Pleader for Revenue, the writ petition is accordingly dismissed at the admission stage with costs of Rs.2000/- (Rs.two thousand only) at the admission stage. The learned counsel for the petitioner is directed to deposit costs of Rs.1000/- (Rs.one thousand only) to the Court Masters'/Personal Secretaries Association, AP High Court, Hyderabad and Rs.1000/- (Rs.one thousand only) to the Junior Court Officers' Association, AP High Court, Hyderabad, within one week from today.

AUGUST 11th, 2005. ----------

I S L. ELIPE DHARMA RAO , J.